



OFFICE OF FINANCE
REFUND BRANCH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
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In re Application of
Norikatsu KOIDE et al.
US PATENT & TRADEMARK
OFFICE

Serial No.: 09/711,908

Group Art Unit: 2814

Filed: November 15, 2000

Examiner: Louie, Wai Sing

For: METHODS FOR MANUFACTURING A LIGHT-EMITTING DEVICE

Honorable Commissioner of Patents
Washington, D.C. 20231

PETITION FOR REFUND UNDER 37 C.F.R. §1.26

Sir:

We request a partial refund of \$520.00 for an extension of time fee paid for the above-identified application on April 7, 2003 for the following reasons.

A Final Office Action was mailed on October 8, 2002. A response, and Petition and Fee for a One-Month Extension of Time was filed on February 10, 2003.

On March 5, 2003, Applicants' representative conducted a Personal Interview with the Examiner, during which Applicants' representative provided a photocopy of the February 10, 2003 response to the Examiner, because the Examiner had not yet received the filed response.

On March 7, 2003, Applicants' representative telephoned the Examiner and asked whether the Examiner had issued an Advisory Action or Notice of Allowance on the basis of the March 5, 2003 Personal Interview. Applicants desired to make a response to any Office action on March 7, 2003 in order to avoid paying an additional extension of time fee. The Examiner replied that he had not yet received the case. On March, 10, Applicants' representative again telephoned the Examiner to ask whether the Examiner had received the case. As of March 10, 2003, the Examiner replied that he had not yet received the case.

Serial No. 09/711,908
docket No. T36-127889M/KOH

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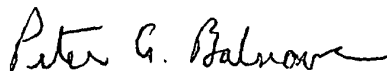
On March 26, 2003, i.e., six days before the 6th-month Final Due Date, the Examiner mailed an Advisory Action. On April 7, 2003, Applicants' representative filed an RCE with a check for an extension fee in the amount of \$820.00 ($\$930.00 - \$110.00 = \820.00).

Applicants respectfully submit that the period from the filing of the February 10, 2003 response to the mailing of the March 26, 2003 Advisory Action constitutes an unavoidable delay by the Office. Applicants, therefore, request a partial refund of the extension of time fee paid on April 7, 2003, representing the difference between a Three-Month and Two-Month extension of time fee ($\$930.00 - \$410.00 = \$520.00$), because all issues regarding any action to be taken by the Examiner had been resolved in the Personal Interview on March 5, 2003 and Applicants were desirous of responding at that time. However, the Examiner had not yet received the February 10, 2003 response.

Therefore, Applicants respectfully request that the difference between a Three-Month and Two-Month extension of time fee equal to \$520.00 be refunded.

Thank in advance for your consideration of this matter.

Respectfully submitted,



Peter A. Balnave
Reg. No. 46,199

Date: 4/14/03
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